

## Doing the right thing

By Ian Cox

Apathy is a terrible thing. It disempowers good people and creates space in which bad people can do terrible things. Just look at what is happening at our universities where the lie that is the so called peaceful protests and the apathetic response of many vice chancellors and their management teams is destroying the future of our children and grandchildren.

But it need not be like that. One must not underestimate the power of ordinary people saying “No, I will not stand back and watch what I care about being destroyed; I will stop you”. As the saying goes “The only thing necessary for the triumph of evil is for good men to do nothing” is countered by the truth that good people can move mountains when they put their minds to it.

The trout fight is a marvellous example of this.

Good people have for some thirty years countered the rising tide of invasion ecology driven eco neo fascism by simply saying no. The story of that fight is a very interesting one that will find its way into a book one day. It is in some ways a vignette (admittedly of the leafy suburbs variety) of the broader canvass that is South Africa’s journey to nationhood.

Thus, we see trout being brought to South Africa, not as some have suggested as a colonial fish but rather as an economic enabler that encourages tourism and increases property values. The success of those early ventures which coincidentally underpinned the formation of many of the provincial conservation agencies led to concerted efforts after the Second World War to boost recreational fishing especially for white South Africans.

Into this mix arrives grand apartheid with its embedded notions of racial superiority and the idea of homelands. Paradoxically, though grand apartheid was justified by invoking ideas of racial superiority based on the pseudoscience that is scientific racism, it was also driven by the fear that black people, if left unhindered, would out-compete white people, especially poor whites.

One should not underestimate the important role played by fear in the development of grand apartheid or the realisation that the fear was misplaced in its destruction.

Grand apartheid is an important part of the story of trout because of the impact it had on environmental thinking in this country. And no, it is not just because some scientists and environmental officials were also Afrikaner nationalists who saw trout as “engelse vis”.

The story is much more nuanced than that. So please forgive me while I depart from the main theme of my narrative and take some time to unpack the development of what scientists call invasion ecology but which could equally be called environmental nationalism or as one African post doc researcher described it to me, green apartheid.

The uncomfortable truth is that the link between modern day environmentalism and racism is a close one, sometimes so close that it is hard not to make comparisons.

It is not just that Ernst Haeckel who is the founder of modern ecology was a racist who believed that so called woolly headed races as being less evolved specimens of Homo sapiens than their Caucasian counterparts.

Fear is also an important part of the mix.

One cannot, for example, ignore the importance of fear about a coming apocalypse to much of modern day environmental thinking. One also cannot ignore this fear tends to encourage likeminded people to flock together which in turn encourages extreme cases of them and us thinking.

Ernest Haeckel's writings were foundational to Nazi party ideology. Hitler's vision of a German master race and the need for lebensraum was driven by the idea that Germany could not sustain its increasing population and must accordingly take more land while weeding out lesser humans to protect the future of the master race. Ernest Haeckel's writings were material in to the development of this thinking which led ultimately to the death of tens of millions of people through war famine and genocide.

Hitler may be dead. The idea of race as being anything more than a matter of appearance may also be thoroughly discredited, but one would be a fool to think that ideas of racial superiority do not still occupy mainstream thinking, even in the most technologically advanced countries. It would also be a mistake to think that notions of a superior right to existence no longer exist in science.

The fact is that a great deal of environmental thinking is based on the idea that some species have a superior right to existence over other species. This in turn arises out of the fear that humans are alien to nature and are in fact in the process of destroying nature.

This idea is foundational to the development and existence of the environmental science that we today call invasion ecology.

The idea that species that occur naturally in an area have a superior right to existence over species that were introduced by humans was first mooted by Charles Elton after the Second World War and during the early stages of the Cold War. It is perhaps not surprising therefore that his was an fearful apocalyptic vision of alien species building bridgeheads from which they would invade the natural balance that existed before.

His writings did not find favour at first. Despite concerns about "reds under every bed" and the possibility of nuclear annihilation, not to mention the general hardship that existed after the World War 2, mainstream environmental thinking was less apocalyptic, less anti human and more focused at finding ways of developing human health and wellbeing sustainably. However Elton's fearful siege mentality did find fertile grounds in the minds of South African environmental scientists who were quick to champion his cause.

It should come as no surprise that invasion ecology attracted South African scientists back in the 1960's and 1970's. This was the time when South Africa was implementing the apartheid driven homeland policy. The idea of everything having its proper place where it rightfully belonged was very much in vogue back then as was the belief that much of South Africa was not in fact populated by Africans when the white man arrived and was thus defensibly "free for the taking".

You could say invasion biology was tailor made for the South African mind-set. So it was that while Charles Elton may have given birth to invasion ecology, the child was raised through its formative years in Apartheid South Africa. Indeed, the ground rules that manage invasion ecology thinking around the world were largely written by South African scientists working in the 1970's and early 80's.

What is more surprising is that having established a bridgehead in South Africa, it quickly gained ground in in the United States, the United Kingdom, Canada, Australia and New Zealand. I was told very recently by a visiting European academic that it is also beginning to gain ground in Europe.

My original impression was that this was largely driven by fear of an environment apocalypse but given the recent Brexit vote, the rising tide of anti-immigrant feelings in Europe and the election of Trump as president of the United States, I wonder if we are not looking at something more visceral.

With the benefit of hindsight it should not come as a surprise that South African environmental officials and scientists turned publicly against trout in the 1980s.

But it did come as a huge surprise.

The relationship between trout anglers and environmental authorities had been downright cosy up until then. As I mentioned earlier, many provincial conservation authorities grew out of the need to propagate and protect trout. Grand apartheid was seen as means to protect trout from poaching by Africans not to eradicate them.

The sudden ascendancy of the idea of trout as a dangerous invading alien was an incomprehensible betrayal. It was akin in many ways to waking up one morning after many years of marriage to discover that your wife is trying to poison you!

Emotions are conflicted at times like these and thinking becomes confused. There is a tendency to deny the obvious, to say that this cannot be. Perception and societal norms were very different back in 1986 to what they are now. .

I was a 26 year old articled clerk back in 1986 when the trout wars started. Though I was not fishing much at the time, I did count myself as a trout angler. I was also very much part of the apathetic mass of trout anglers who thought that this could never happen.

My confidence was based upon the fact that I knew the leadership cadre of what was then the Natal Parks Board. Many of them were avid trout anglers. In fact many now play key roles in defending trout! It was inconceivable that this massive well of support would be lost.

It also has to be said that the country was in a death spiral at the time and that we did not have a legal system based on the idea that people had rights. Remember we did not have rights back then. Such rights that existed reposed in things like property and race and rather than people. Parliament reigned supreme.

So opportunities to defend trout on a national basis were limited. It must be remembered that South Africa was isolated and unloved back then. The urge for affirmation was a powerful one. South African invasion ecologists were not only being recognised abroad, they were hailed as the pathfinders of a new science. The science was also popular amongst white South Africans who

having being rejected internationally were looking for ways to connect to Africa. Indigenous gardening and nature conservation was a way of doing this.

The nationalist government strongly supported these initiatives. Thus the only way to defend trout was to try and persuade those in power that getting rid of trout was a very bad idea. I was not inclined to persuade the government of the time about anything, my view being that they were racists, killers and thieves who should be locked up. On the other hand I did not like communist thinking either, so finding balance in an unbalanced world bereft of any anchors of human decency was not easy. It was a difficult time. It was a time when it was easy to be apathetic.

Thankfully there were some trout anglers who did take up the cudgels and who were prepared take on the Herculean task of persuading a morally bankrupt government to do the right thing. So FOSAF (The Federation of Southern African Fly Fishers) was born.

For a while FOSAF did great things. But the trouble with engagement is that one has to compromise with the thinking of those you are dealing with. This is not a bad thing in itself. As Churchill said "jaw jaw is always better than war war". But it is equally true that one should use a long spoon to sup with the devil.

Getting that balance right has not been easy.

On the one hand FOSAF can be justifiably proud of the major role it has played in developing fly fishing for yellowfish. This is directly as a result FOSAF trying to find common ground with environmental authorities.

On the other hand trying to find common ground with environmental and conservation authorities has resulted in FOSAF becoming disconnected with its angling base. Engagement resulted in a perception at least of FOSAF taking on the colouring of the very thing it was created to oppose. I see the intervention of Ilan Lax as a timely counter to this internal destruction of the organisation and the future of trout. Ilan is a human rights lawyer and was part of what we now call "the struggle".

Ilan's influence in putting the trout story in a space that can be defended, cannot be underestimated.

The truth is that recreational fishing is in a bad space at the moment with many anglers assuming as of a right privileges that were in truth won by ignoring the rights of others often on the basis of race. Ilan confronted the trout leadership nearly two decades ago with what were at the time unpleasant truths and they were decent enough to acknowledge the truth in what he was saying and start taking steps to address this.

He introduced rights based approach into FOSAF's thinking and with Bill Bainbridge and Jake Alletson crafted a set of principles which would guide FOSAF's thinking and actions. This gave rise to FOSAF's policy document and position paper on trout.

One can with the benefit of hindsight find a lot wrong with the FOSAF trout position paper but the FOSAF policy document is a remarkable document of which FOSAF can justifiably be proud.

But FOSAF had a problem. Its whole ethos was built on positive engagement with environmental authorities. This was appropriate but only if the environmental authorities were acting lawfully. As

our university vice chancellors are learning to our cost, strategies based upon positive engagement only work when both parties agree to abide by the rules. They fail when this is not the case. And let's face it FOSAF and the cause of trout anglers was failing a few years ago.

My contribution to defending trout was to point out that the environmental authorities were acting unlawfully and to persuade FOSAF and others to engage with environmental authorities on the unlawfulness of their actions. I had the tremendous advantage in all of this of being a newcomer both to the oxymoron we call environmental law and the trout fight. This gave me a fresh perspective that had been lost in the hurly burly of trying to engage with environmental authorities.

Thus I was able to ask what should have been the obvious question - that is how on earth government can be promoting oppressive permit-based systems aimed at enforcing pejorative notions of alienness under a constitution that celebrates the rights of a nation united in its diversity?

It is incredible when you think about it that environmental thinking based around invasion ecology thinking forged in South Africa at the height of grand apartheid could survive into the constitutional era. But it has not only survived, it has flourished. I identified this fact and its inherent incompatibility with the Constitution as the underbelly of environmental law and policy making in South Africa.

Now it has to be said that raising constitutional arguments in present day South Africa, especially on matters dear to what is a largely white and largely privileged trout fishing elite is easier said than done. While it is encouraging that South Africans generally support the Constitution it is also true that many South African's including those in our educated elites, haven't a clue what the Constitution stands for or how to defend their rights under the Constitution. The idea of citizenship is still a novel one.

I hope our future will follow a path that will allow us to recognise the heroic role played by our post-apartheid Chief Justices and their brother and sister judges on the Constitutional Court. If we have a future founded on equality, human dignity and celebration diversity it will be due in no small measure to their wisdom and foresight.

I mention this because for once in my life I got lucky. Not only was a selling an idea at the same time as the Constitutional court started elaborating on them, I was also selling those ideas to a community of trout anglers who had already been sensitised to what it means to have rights. Ilan Lax was already there and he while not in complete agreement with everything I was saying, he quickly got the point and was prepared to throw his weight in behind it.

There are many champions of the trout cause (too many to mention in this article) but Ilan Lax stands out for me as one of the greatest of the greats.

So, I was planting a seed in prepared ground when I asked the question; if the environmental right is a human right and the environment is defined in terms of human health and wellbeing, how can alien species be bad and how is it that trout and many other species can be declared invasive?

Ilan was thus able to shift FOSAF's strategy from one of trying to find common ground with environmental authorities to my idea attacking the legality of what environmental authorities are doing. We hit them hard, developing and refining this argument with help from the trout fishing

community and lo and behold what seemed to be the impregnable walls of Jericho began to crumble and fall.

This is because it turns out we were not fighting alone. Happily, most South Africans are decent people even most of those working within government. It turns out all you have to do to bring about change is to uncompromisingly plug away at doing the right thing. You do not have to be powerful or rich or even that clever. If you do the right thing the rich and powerful and clever who also want to see the right thing being done will find you.

Victims also have a habit of finding one another, especially in this modern world of easy communication. The truth is that the trout fishing community is not the only victim of the unlawful constitutionally misaligned environmental extremism we are experiencing in South Africa today. Many other sectors are similar afflicted and like us they are beginning to fight back.

That is the nub of it. We are now living in an age and in a country where you cannot be apathetic. You cannot expect politicians to look after your interest, especially if you are not prepared to do so yourself. You need to actively fight for your rights and that means fighting for the rights of others. Dignity and decency are the catchwords that underscore successful efforts in this regard. They are the foundation of what FOSAF has been trying to do for decades.

You must not give in.

The trout fishing community has not given in.

The rest as they say is history. Trout were not declared invasive back in October 2014 when 559 other species suffered that fate. Happily, it does not look like this will happen any time soon. This does not mean that the fight is over. Far from it. Invasion ecology thinking is a hardy invader that has captured the hearts and minds of our environmental authorities. They are still trying to do bad by trout.

The fight against trout is an absurd one at so many levels. No other country in the world is trying to do to trout what South Africa's environmental authorities are attempting. The whole plan to control and eradicate alien invasive species is a mad cap scheme that is reminiscent of the kind of grandiose insanity that characterised grand apartheid. It is simply unworkable and unaffordable.

It is also unscientific. Trout are a significant contributor to eco systems services. The thousands of hectares that are husbanded in South Africa to sustain trout create nurturing habitats for other species that would not fare as well if that land was turned over to commercial agriculture. Sensitive river systems that would otherwise be left to degrade beyond the public eye are championed and sometimes rehabilitated through the efforts of trout anglers.

Much of the so-called research upon which invasion ecologists rely to discriminate against trout is opinion rather than fact based. What passes for fact is very thin on the ground and on closer scrutiny generally proves to be inconclusive. The truth is that invasion ecologists shamefully talk up the threats posed by trout. Their campaign is more of propaganda war than the serious and objective pursuit of science.

Then there is the law. Environmental authorities and invasion ecologists justify their actions saying they are science based. But scientific opinion and indeed any expert opinion has no standing in law unless the opinion speaks in a rational way to proven facts. But scientists who campaign against trout seldom deal in the world of proven fact. There is a community of likeminded opinions.

It should come as no surprise therefore that the outcome of this driven attempt to make laws results in laws that are inherently unlawful, often making environmental authorities the real law breakers rather than the those they accuse of breaking the law. The truth is that what environmental authorities seek to do is often massively misaligned with the Constitution, its values and indeed the rule of law.

This is becoming increasingly apparent as more and more people start challenging environmental authorities in our courts.

This is not a good thing. Authorities who act in contempt of the law will inevitably undermine the law. As we are seeing more and more that leaves anarchy and what is an oppressive application of State power as the only regulators of our day to day health and wellbeing. Any university student will tell you that this is a horrible way to live.

It is also true that racism is on the increase internationally. This is despite science proving that there is no such thing as race and that appearances can indeed be deceiving. The idea of species evolving from a primitive state to an advanced one is not a universal truth. Evolution is pretty chaotic in truth and natural selection or survival of the fittest is not its be all and end all.

Sadly, despite a lot of real science that points the other way, invasion ecology thinking of the kind practised by our environment authorities is a beneficiary of this rising tide of anti-alien sentiment built on hierarchical notions of superiority and an inherent right to belong. The idea that people have rights is increasingly under attack. Indeed, the idea that people are aliens and as such do not have rights, lies at the heart of this thinking.

South Africa and South Africans should not be praise singers of this dark and dirty past. The reality is that racism is bad for civilisation but it is particularly bad for Africa. Our future as a country, as a continent and the future of human civilisation requires us to go another way.

It depends on us doing the right thing.

**Why are so very few fly fishers members of FOSAF? Do the right thing - [click here](#).**